

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA                    )  
  )  
  v.                    INDICTMENT NO. 05-10039-NG  
  )  
ARCENIO POCHE-CHACON                    )  
aka ANDRES DEL ROSARIO ALAYON        )

**DEFENDANT’S ASSENTED TO MOTION TO CONTINUE  
SENTENCING**

Arcenio Poche-Chacon (the “Defendant”), in the above-numbered Indictment and through Counsel, moves this Court to continue the hearing on this matter currently scheduled on July 11, 2008 for sentencing.

In support of this motion the defendant’s counsel states that he is scheduled to commence his family vacation this week until July 22, 2008. Counsel apologizes to this Court for not notifying the Court earlier, however, the sentencing hearing was misdiaried in counsel’s computer. The government, AUSA Angel Kelly Brown, assents to this motion but requests that if the continuance is granted that the case not be set down during the week of July 21, 2008.

An interpreter will be required for this hearing.

Respectfully submitted,  
ARCENIO POCHE-CHACON,  
By his Counsel:

‘/s/Walter H. Underhill, Esquire’  
WALTER H. UNDERHILL  
66 Long Wharf  
Boston, Massachusetts 02110  
(617) 523-5858

DATED: July 9, 2008

RULE 7.1 CERTIFICATION

AUSA Angel Kelly Brown assents to this motion but requests that if the motion is granted that the case not be set down during her vacation during the week of July 21, 2008.

SIGNED: ‘/s/Walter H. Underhill, Esquire’

DATE: July 9, 2008

CERTIFICATE OF SERVICE

I hereby certify that this document(s) filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF).

SIGNED: ‘/s/Walter H. Underhill, Esquire’  
WALTER H. UNDERHILL, ESQ.

DATE: July 9, 2008